

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Lanette Rae Heitzman,

Plaintiff,

v.

**ORDER**

Civil No. 12-2274(MJD/LIB)

Officer Scott Engelstad, Gilbert Police  
Dept., individually and  
in his official capacity,

Defendant.

---

David Izek, Altman & Izek, Counsel for Plaintiff.

Pamela L. VanderWiel and Anna L. Yunker, Everett & VanderWiel,  
P.L.L.P., Counsel for Defendant.

---

This matter is before the Court on the parties' motions in limine. Based on the file, record and proceedings herein,

IT IS HEREBY ORDERED that

1. Plaintiff's Motion in Limine [Doc. No. 130] is DENIED in part and GRANTED in part as follows: The Motion To Exclude Reference to Court's Finding that Arrest was Lawful is DENIED; and the Motion to Admit Evidence of Plaintiff's Relationship with Defendant's Wife and Evidence as to the Relationship Between Defendant's Wife and

Plaintiff's Brother is GRANTED as to evidence that Plaintiff's Brother and Defendant's wife were previously married, and that there is an outstanding child support dispute between the two. The motion is also GRANTED with respect to evidence of interactions between the Defendant and members of Plaintiff's family. In all other respects, the motion is DENIED.

2. Defendant's Motion in Limine [Doc. No. 142] is DENIED in part and GRANTED in part as follows: Plaintiff's Expert is precluded from offering any evidence or testimony concerning the reasonableness of the arrest but may provide evidence or testimony on the issue of excessive force in effectuating a lawful arrest; the Motion to Exclude Evidence Regarding the Reasonableness of the Arrest is GRANTED; and the Motion to Exclude Evidence Regarding the Child Support Dispute, Plaintiff's Exhibits 018-022, is GRANTED.

Date: October 14, 2014

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court